

**60.15. LAND DIVISION STANDARDS. [ORD 4224; August 2002]**

**60.15.05. Purpose.** It is the purpose of this section to establish uniform design and development standards and requirements for all land division applications in Section 40.45 of this Code.

**60.15.10. General Provisions.****1. Easements.**

A. The minimum public utility and drainage easements for residential land divisions shall be as follows:

1. A six-foot (6) public utility easement along all front lot lines.
2. A three-foot (3) utility and drainage easement along all side and rear lot lines.

B. Public water, sanitary sewer, and storm drainage lines on private property shall be centered within a permanent easement granted to the City, with a minimum width of fifteen feet (15) along its entire length. The actual required width of an easement may be greater than the minimum required as the required easement width shall be measured from both outside edges of the pipe zone outward to the catch points where the theoretical lines at a 1:1 slope would daylight unless permanent soil reinforcements or other measures are provided to the satisfaction and approval of the City Engineer. No encroachment within a public utility easement of any private utility or structure shall be allowed without prior itemized approval. Under no circumstances, shall these items be placed within the pipe zone. Private utilities that cross public utility easements shall do so as close as practical to right angles with the public utility. The City can not approve any encroachment location which would adversely affect the ability of the City to maintain City utilities. Such easements, when directed by the City, shall be accompanied by temporary easements granted to the City of adequate width to allow construction of water and sewer. The Engineer or developer's surveyor shall provide the City with documents necessary to record the easements. The width of combination easements is evaluated at the site development permit stage on a case-by-case basis.

## 60.15.10.1.B.

Upon issuance of a Site Development Permit and Final Land Division application, the Director will notify the Washington County surveyor that a cadastral review of the Final Land Division may begin. It is within the authority of the City Engineer or designee to refuse to approve or sign any land partition, partition plat, or subdivision plat for a development that has not installed the necessary public utilities to serve the proposed and affected existing lots. Such approval may be withheld until it can be verified that the location and width of proposed rights of way and easements are adequate for the completed utilities.

- C. Where a land division is traversed by a water course, drainage way, channel, or stream, a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width as will be adequate for the purpose, may be required. Streets or parking ways parallel to water courses may be required.

- 2. **Building Lines.** The Director may approve special setbacks based upon the consideration for safety, topography, geology, solar access or other such reasons. If special building setback lines are to be established in the land division that are greater than required by this Code, they shall be shown on the final land division and included in the deed restriction.
- 3. **Dedications.** Public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, parks, open space, and other public rights-of-way required as mitigation for on site or off site impacts in proportion to the identified impacts of the proposed development and reasonably related to the development, shall be dedicated or otherwise conveyed to the City or the appropriate jurisdiction for maintenance. Dedication of any land for park or open space purposes must be approved by the jurisdiction to whom the park or open space is being dedicated prior to Final Land Division approval.
- 4. **Homeowner Associations and Declarations.** When a Homeowner's Association Agreement or other restrictive covenants are to be recorded with the development, a copy of the appropriate documents shall be submitted with the final plat. The City shall review such documents to ensure that common areas are properly maintained and that other restrictions required by the City are included.

**60.15.15. Compliance With Land Division Approvals.**

- 1. Requirements Prior to Commencement of Work.** Prior to any construction, improvements or land development, the developer shall perform the following:
  - A. The developer shall file detailed plans and specifications for all public improvements and land development together with a detailed cost estimate to complete such improvements for approval by the City Engineer or designee.
  - B. The developer shall enter into a contract with the City of Beaverton to make, install and complete within the time fixed, but in no case more than two years from the date of execution of said contract without written approval by the City Engineer, City Attorney and the Director, all improvements (Section 60.10.15.3.), land development, or both in accordance with the approved plans. The developer shall cause to be filed with the City Recorder a security acceptable to the City Attorney payable to the City of Beaverton in a principal sum determined from the approved estimate of the costs of said improvements, land development, or both of this section. The security shall assure the performance of the said contract and the completion of the said improvements, or land development, free of liens.
  - C. In cases where both land development and public improvements are to be made, the security required shall be cumulative.
  - D. The amount of the security shall be based on an estimate of the cost of the work approved by the City Engineer in accordance with the following schedule:
    1. Public Improvements = 100% of cost estimate.
    2. Land Development = 100% of cost estimate.
- 2. Improvement Procedures.** All improvements shall conform to the requirements of this Code and any other improvements standards or specifications adopted by ordinance of the City Council and shall be installed in accordance with the following procedure:
  - A. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. To the extent necessary for evaluation of the land division proposal, such plans may be required before Final Land Division approval.

60.15.15.2.

- B. Improvement work shall not be commenced until the developer has secured a site development permit. If work has been discontinued for any reason for a period of time exceeding thirty (30) calendar days, it shall not be resumed until the City has been notified and consented in writing.
- C. All required improvements shall be constructed to the satisfaction of the City Engineer according to Beaverton Code 9.04-010 through .120 and 9.05.005 through .170, the Engineering Design Manual and Standards Drawings, and any amendments thereto. The City may require changes in typical sections and details if unusual conditions arise during construction to warrant such change in the interests of the City or the developer. Upon acceptance of the required improvements, the City Engineer shall notify the developer that the improvements are acceptable pursuant to the Beaverton Code. Acceptance shall be in writing.
- D. All public and private underground utilities installed in streets in accordance with Section 60.65 (Utility Undergrounding), shall be constructed prior to the surfacing of such streets. Stubs for service connections for all public and private underground utilities shall be extended such that future connections thereto will not require cutting above ground street improvements.
- E. Plans showing all public improvements as built shall be filed with the City Engineer upon completion of said improvements.

**3. Improvement Requirements.** The improvements that are reasonably related and roughly proportional to the impacts of the proposed development that shall be installed at the expense of the developer are as follows:

- A. Streets:
  - 1. All streets, including alleys, within the land division.
  - 2. Streets adjacent to the land division.
  - 3. The extension of the land division streets to the intercepting paving line of existing streets with which the land division streets intersect.

## 60.15.15.3.A.

4. Streets which intersect with streets within the development that provide ingress or egress to the development or on which there are traffic impacts reasonably related to the development.
  5. All streets shall be built or improved to City standards.
- B. Catch basins. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways.
- C. Monuments and bench mark.
- D. Surface drainage and storm sewer system. Drainage facilities including, but not limited to, conveyance, detention, and water quality facilities, shall be provided within the land division to connect the land division drainage to drainage ways or storm sewers outside the land division. Design of drainage shall be in accordance with the standards established by the City Engineer and shall allow for the extension of the system to serve other areas.
- E. Sanitary sewers. Sanitary sewers shall be installed to serve the land division and to connect the land division to existing mains.
- F. Water system. Water lines with valves and fire hydrants serving the land division, connecting the land division to City mains, shall be installed in conformance with the City specifications. The design and construction by the developer shall provide for extension beyond the land division, for extensions to adequately grid the City system, and for proper connection of adjoining pressure zones, where required.
- G. Street Trees. Street trees shall be planted along street frontages in accordance with the following:
1. For detached dwelling land divisions, the Developer shall pay a fee to the City. The City shall be responsible for tree purchase and planting, and maintenance for one year, consisting of pruning, disease control and watering. The fee shall be based upon a standard of one tree per thirty (30) lineal feet of street frontage, with standard rounding methods applied for fractions thereof. The fee to be charged and collected shall be established and from time to time amended by Resolution of the City Council.

## 60.15.15.3.G.

2. For all other land divisions, trees shall be planted in accordance with an approved street tree plan.
  3. Trees shall be planted in accordance with the City's Tree Planting and Maintenance Policy.
- H. Bike and pedestrian ways. Bike and pedestrian ways shall be constructed according to City Engineering Design Manual and Standard Drawings.
- I. Pedestrian Circulation. [ORD 4332; November 2004]
1. Walkways are required between parts of a site where the public is invited or allowed to walk.
  2. A walkway into the site shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the site.
  3. Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. On-site walkways shall connect with walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.
  4. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.
  5. Walkways shall be paved and shall maintain at least four feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.

## 60.15.15.3.I.

6. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.
  7. On-site walkways shall be lighted to an average 0.5 foot-candle level. Lighting shall have cut-off fixtures so that no glare is emitted beyond the property line or onto the public right of way.
- J. Other improvements reasonably related to the impacts of the development which may be required in rough proportion to the impacts of the proposed development at the partial or total expense of the developer.
1. Improvement of streets providing primary access to land division streets.
  2. Signals, traffic control devices, and traffic calming devices.
  3. Intersection improvements.
  4. Fences, privacy screens, retaining walls, and sound walls.
  5. Slope stabilization and erosion control.
  6. Parks and open space shall be improved as required by the City and appropriate jurisdiction.
- K. Street Lights. Street lights shall be installed in accordance with City standards.
- L. Curb cuts and driveway installations are not required of the developer but, if installed, shall comply with City standards.
4. **Maintenance Security.** The developer shall enter into a contract with the City of Beaverton to ensure the continued maintenance of all required improvements in a manner consistent with Section 9.05 Site Development of the Municipal Code.

60.15.15.

**5. Grading.** [ORD 4332; November 2004]

- A. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:
1. 0 to 5 feet from property line. Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
  2. More than 5 feet and up to and including 10 feet from property line. Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
  3. More than 10 feet and up to and including 15 feet from property line. Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
  4. More than 15 feet and up to and including 20 feet from property line. Maximum of eight (8) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
  5. More than 20 feet and up to and including 25 feet from property line. Maximum of ten (10) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
- B. Notwithstanding the requirements of subsection A.1. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified significant grove or tree, or an identified historic tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree. For the purpose of this standard, the tree root zone extends the same distance from a tree trunk as the tree canopy.

